



## State of New Jersey

DEPARTMENT OF EDUCATION  
PO Box 500  
TRENTON, NJ 08625-0500

JAMES E. MCGREEVEY  
*Governor*

WILLIAM L. LIBRERA  
*Commissioner*

June 9, 2003

TO: Chief School Administrators  
Charter School Lead Persons

FROM: Judith Weiss, Assistant Commissioner, Northern Region  
Albert Monillas, Assistant Commissioner, Southern Region  
J. Michael Rush, Assistant to the Deputy Commissioner, Central Region

SUBJECT: Unsafe School Choice Option-State Policy

Pursuant to Title IX, Part E, Section 9532 of the federal No Child Left Behind Act (NCLB), the New Jersey Department of Education (NJDOE) is required to establish an Unsafe School Choice Option (USCO) policy by July 1, 2003. The NJDOE has been providing information on its NCLB website since January about this policy requirement. Additionally, a news release was issued on May 21, 2003 and posted on the NJDOE website to provide updated information.

The intent of the statute and the NJDOE policy is to provide safety and security for students and to prevent unnecessary or extended interruptions to student learning. The statute cited above contains two provisions that apply to local educational agencies (LEAs) receiving NCLB funds: 1) persistently dangerous schools; and 2) victims of violent criminal offenses. According to the federal requirement, effective **September 2, 2003** and every year thereafter, LEAs receiving NCLB funds must be prepared to begin the transfer of students who attend schools identified as persistently dangerous and students that are victims of violent criminal offenses to another safe school within the district. Compliance with the policy is a condition of receiving funds under any and all titles under NCLB. Chief school administrators/charter school lead persons will be required to certify compliance with the USCO policy of the NJDOE in their applications for NCLB funds.

The State Board of Education will be voting on a resolution to adopt the policy on June 18, 2003. **Immediately following adoption, the NJDOE will determine which schools meet the persistently dangerous criteria, based on the adopted policy, and notify, by telephone, the appropriate chief school administrators/charter school lead persons.**

A meeting for chief school administrators/charter school lead persons of identified schools will be held to discuss the policy, implications of the persistently dangerous designation for schools/districts and technical assistance planned by the NJDOE. Details for the meeting are provided below:

Date: Wednesday, June 25, 2003  
Time: 10:00 a.m. to 12:00 p.m.  
Location: New Jersey Department of Education  
100 River View Plaza  
1<sup>st</sup> Floor Conference Room, Side A  
Trenton, NJ

It is imperative that chief school administrators/charter school lead persons of identified schools attend the planned meeting.

JW/AM/MR/SM

c: Senior Staff  
Susan B. Martz  
Gary Vermeire  
County Superintendents